

4360. Misbranding of "Dr. Jno. A. McGill Orange Blossom Female Suppositories." U. S. v. John A. McGill. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 5933. I. S. No. 5885-e.)

On June 14, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John A. McGill, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 27, 1913, from the State of Illinois into the State of Alabama, of a quantity of "Dr. Jno. A. McGill Orange Blossom Female Suppositories," which were misbranded. The article was labeled: (On wrapper) "Dr. Jno. A. McGill Orange Blossom female suppositories. Trade mark registered. Prepared Chicago, Illinois. Prepared by J. A. McGill, M. D., Cor. 20th St. & Indiana Ave., Chicago, Ill. None genuine without my fac-simile signature. Jno. A. McGill, M. D. Price one dollar per box. Full Directions inside. Guaranteed under the Pure Food and Drugs Act by Dr. Jno. A. McGill, Chicago." (On box) (Directions in English and German) "Dr. J. A. McGill, Cor. 20th and Indiana Ave. Chicago, Ill. When O. B. is found crumbling remove wrapper and lay mixture in palm of your hand and work over until soft. Then apply as directed on box. When worked over 'tis just as good as when fresh."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that each suppository weighed, on the average, 3.905 grams, and contained free boric acid, aluminum salt, sulphate, potassium salt, sodium salt, starch, and petrolatum.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic and curative effects thereof, appearing in the printed booklet accompanying the article, to wit, "A famous remedy for all female diseases," and "The famous Suppository is a Noble Remedy for the following diseases: Inflammation, Congestion and Falling of the Womb, Anteversion, Retroversion and Prolapsus, Dropsy of Womb, Ulceration, Polypus, Tumors, Leucorrhœa, Profuse and Difficult Menstruation, Ovarian Tumors, Fibroid Tumors, Inflammation and Congestion of the Ovaries, Cancers in their Earlier States, Laceration of Cervix (due to childbirth)," were false and fraudulent in that they were applied by means of the circular to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of the purchasers thereof the impression and belief, that the article was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective as a remedy for all female diseases, of inflammation, congestion, and falling of the womb, anteversion, retroversion, and prolapsus, dropsy of womb, ulceration, polypus, tumors, leucorrhœa, profuse and difficult menstruation, ovarian tumors, fibroid tumors, inflammation and congestion of the ovaries, cancers in their earlier stages, and laceration of cervix (due to childbirth), when, in truth and in fact, it was not so composed, and did not contain such ingredients or medicinal agents.

On November 5, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*